

**House File 2184 - Introduced**

HOUSE FILE 2184

BY BALTIMORE

**A BILL FOR**

1 An Act relating to the brucellosis and tuberculosis eradication  
2 fund, and providing an appropriation.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 7D.10A, Code Supplement 2011, is amended  
2 to read as follows:

3 7D.10A Payment to livestock remediation fund Special  
4 payments affecting agriculture.

5 1. If moneys are not sufficient to support the livestock  
6 remediation fund as provided in chapter 459, subchapter V,  
7 the executive council may authorize as an expense paid from  
8 the appropriations addressed in section 7D.29 the payment of  
9 an amount to the livestock remediation fund as provided under  
10 section 459.501, subsection 5. However, not more than a total  
11 of one million dollars shall be paid pursuant to this section  
12 to the livestock remediation fund at any time.

13 2. The executive council may authorize as an expense  
14 paid from the appropriations addressed in section 7D.29  
15 a compensable loss suffered by a registered member of an  
16 emergency response team who acts under the authority of the  
17 secretary as provided in section 163.3A.

18 3. The executive council may authorize as an expense paid  
19 from the appropriations addressed in section 7D.29 any of the  
20 following:

21 a. A claim for an indemnity by the owner and a claim for  
22 compensation and expenses by appraisers, as provided in section  
23 163.15.

24 b. All or part of an amount requested by the secretary of  
25 agriculture to be deposited in the tuberculosis eradication  
26 fund, as provided in section 165.18. The executive council may  
27 make the authorization subject to any conditions that it deems  
28 appropriate.

29 Sec. 2. Section 7D.29, subsection 1, Code Supplement 2011,  
30 is amended by adding the following new paragraph:

31 NEW PARAGRAPH. c. From the general fund to provide special  
32 payments affecting agriculture as provided in section 7D.10A.

33 Sec. 3. Section 165.1A, Code 2011, is amended by adding the  
34 following new subsections:

35 NEW SUBSECTION. 3. "Fund" means the brucellosis and

1 tuberculosis eradication fund created pursuant to section  
2 165.18.

3 NEW SUBSECTION. 4. "*Secretary*" means the secretary of  
4 agriculture.

5 Sec. 4. Section 165.18, subsections 2 and 3, Code 2011,  
6 are amended by striking the subsections and inserting in lieu  
7 thereof the following:

8 2. On or before May 15 of each year, the secretary shall  
9 determine if the balance of the fund on June 30 will be  
10 sufficient to support the actual costs to the department in  
11 carrying out the purposes of the fund as provided in subsection  
12 1 for the following fiscal year. If the secretary determines  
13 that the balance of the fund is insufficient, the secretary may  
14 make a request in writing to the executive council to authorize  
15 a payment amount of not more than five hundred thousand dollars  
16 to be deposited into the fund for that fiscal year. The  
17 executive council may authorize payment of moneys as an expense  
18 paid from the appropriations addressed in section 7D.29 and in  
19 the manner provided in section 7D.10A in an amount necessary to  
20 support the fund.

21 Sec. 5. Section 331.512, subsection 1, paragraph e, Code  
22 2011, is amended by striking the paragraph.

23 Sec. 6. Section 331.559, subsection 2, Code 2011, is amended  
24 by striking the subsection.

25 EXPLANATION

26 BACKGROUND. Code section 165.18 creates a brucellosis and  
27 tuberculosis eradication fund administered by the department of  
28 agriculture and land stewardship. The fund is used to support  
29 costs incurred by the department when administering programs  
30 to control those diseases affecting cattle as provided in  
31 Code chapters 164 and 165. Moneys in the fund derive from a  
32 property tax levied by counties. The tax is levied by county  
33 boards of supervisors after the secretary of agriculture  
34 notifies them of the taxable amount (a maximum levy of 33 and  
35 3/4 cents per \$1,000 of assessed value of all taxable property

1 in the county).

2     CHANGES. This bill replaces how the fund is financed by  
3 eliminating the county property tax levy. Instead, the bill  
4 allows the executive council to approve a request by the  
5 secretary of agriculture for a payment amount not to exceed  
6 \$500,000 (Code section 7D.10A). The executive council is  
7 required to notify the legislative services agency before it  
8 meets to consider the secretary's request. The request is  
9 paid by the executive council from appropriations available  
10 to it from the general fund of the state as an authorized  
11 expense (Code section 7D.29). The bill also references other  
12 authorized expenditures already provided for in the Code.